

**Application No.: 10/564,673**  
**Filing Date: June 30, 2006**

## **REMARKS**

Claims 1-6 and 11-16 are pending in this application. Claims 1 and 11 are the only independent claims. These claims have been amended to include the limitations of Claims 2, 3, and 4. Claims 1 and 11 have also been amended to state, “a phase reaction chamber for receiving the contaminated fluid from the condenser.” Written description support for this amendment can be found, for example, at p. 5, lines 16-22. Claim 5 has been amended to state, “wherein the carrier air transports the contaminated gas from the phase reaction chamber to the condenser.” Written description support for this amendment can be found, for example, at p. 19, lines 31-35. All other claims have been presented to the Examiner previously, and there are no other amendments. Thus, no new matter has been added.

Claims 2-4 and 15-16 have been cancelled.

## **Summary of Examiner Interview**

Applicant thanks the Examiner for conducting a telephone interview with respect to this application on March 20, 2009. The following summarizes the substance of the interview, in accordance with the guidelines provided by M.P.E.P. 713.04.

- (A) No exhibits were shown, and no demonstration was conducted.
- (B) Applicant proposed amending the claims to include the limitations of Claims 3 and 4.
- (C) All of the claims were discussed.
- (D) The Examiner discussed the informalities objections and how to overcome them by amending the specification.
- (E) The Examiner discussed the 35 U.S.C. 112, second paragraph rejections and how to overcome them by amending and clarifying the claims.

## **Informalities Rejections**

The Examiner objected to the specification based on a number of informalities. Office Action at p. 2. The specification has been amended to clarify and/or correct the informalities as the Examiner has requested.

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### **Claim Rejections Under 35 U.S.C. 112**

The Examiner rejected Claims 3, 4 and 16 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Office Action at p. 2. Applicant has cancelled Claims 3, 4 and 16 and submits that the indefiniteness rejections are moot.

### **Double Patenting Rejections**

The Examiner rejected Claims 1-6 and 11-16 as being unpatentable on the ground of non-statutory obviousness-type double patenting over Claims 1-24 of U.S. 7,087,157 to Spani. To overcome the non-statutory obviousness-type double patenting rejection, Applicant submits a terminal disclaimer in compliance with 37 CFR § 1.321.

### **Claim Rejections Under 35 U.S.C. 103(a)**

The Examiner rejected Claims 1, 2, 5, 6 and 11-15 under 35 U.S.C. 103(a) as being unpatentable over U.S. 5,458,739 to Boucher et al. (“Boucher”) in view of U.S. 5,368,754 to Von Klock et al. (“Von Klock”). However, the Examiner indicated that independent Claims 1 and 11 would be allowable if amended to include the limitations in Claims 3 and 4 and if the claims overcome the 35 U.S.C. 112 rejection. Office Action at p. 4.

In accordance with the Examiner’s suggestions, Applicant has amended Claims 1 and 11 to include the limitations of Claims 3 and 4, and submits that the claims are in condition for allowance. Applicant also respectfully requests the withdrawal of any rejections with respect to all claims that depend from Claims 1 and 11.

### **No Disclaimers or Disavowals**

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicant are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this

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application. The Applicant reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicant have made any disclaimers or disavowals of any subject matter supported by the present application.

**Conclusion**

The Application is believed to be in condition for examination on the merits. Applicant respectfully requests the same. If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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